

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Andhra Pradesh Medical & Health Services - Dr. K. Krishna Murthy, formerly Civil Assistant Surgeon, at Primary Health Centre, Mamda, Adilabad District - Terminated from service by the Director of Health, A.P. Hyderabad – Reinstatement into service – Orders – Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (VC.II.1) DEPARTMENT

G.O.Rt.No. 1767

Dated: 28-11-2008.

Read the following:-

1. The DH Procg. Rc.No.5083/E2.II.H/01, dt.22.05.2001.
2. Reprn. of Dr. K.Krishna Murthy, CAS Lr. dt.16.12.2006.
3. Govt. Memo.No.24977/VC.II.1/2002-3, dt.2.02.2008.
4. APAT, Hyd. orders dt.18.09.2000 in O.A.No.2263/2008 filed by Dr.K.Krishna Murthy, formerly CAS, PHC, Mamda, Adilabad.
5. Reprn. of Dr.K.Krishna Murthy, CAS, Lr. dt.18.10.2008.
6. Under taking of Dr.K.Krishna Murthy, CAS, dt.18.11.2008.

ORDER:

The Director of Health, A.P. Hyderabad, vide his proceedings Rc.No.5083/E2.II.H/01, dt.22.05.2001 has terminated Dr. K. Krishna Murthy from service who went on leave from 2.04.1993 to 30.09.1996 and again from 17.08.1997, and since then did not turn up for his duties. He again reported for duty on 16.12.2006 with a request to give similar benefits given to the person who filed W.P.No.16386/2006. Government after careful examination of the request of the above individual had rejected his request, vide orders 3rd read above.

2. Consequent on his termination, the above said Doctor filed O.A. No.2263/2008 in A.P. Administrative Tribunal on the ground that similarly situated doctors whose services were terminated were re-inducted into service and, therefore and prayed that the same benefits, be extended to him also.

3. The Hon'ble Tribunal in its order dt.18.09.2008 in O.A.No.2263/2008 has issued the following direction to the respondent, "to treat the period from 10.10.1996 to till the date of reporting i.e. 16.12.2006 as on duty for all purpose like pension, Increments and other benefits, except for monetary benefits. In view of the termination orders being set aside in O.A.No.6385/2001 and batch as they are unconstitutional and issued without following the rules contemplated under the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 the period from 16.12.2006 to till the date of re-induction pursuant to the orders passed in this O.A shall be treated as 'on duty' without pay but a consolidated amount of Rs.50,000/- shall paid to the applicant this orders is being passed in view of the situated in the state where doctor service are required for Govt. duty as there is shortage of the same".

4. In the light of the above orders of Hon'ble Tribunal, Dr. K. Krishna Murthy, Civil Assistant Surgeon has given a written under taking stating that he is willing to forego Rs.50,000/-, besides, he would not insist on for other benefits as ordered by A.P. Administrative Tribunal orders, dt.18.07.2008 in O.A.No.2263/2008 and also willing to face the Departmental enquiry if any ordered, provided he is given posting orders.

(P.T.O.)

5. Government after careful examination of the orders of A.P. Administrative Tribunal and the request of above individual elucidated at Para (4) above, hereby decide to re-induct Dr. K. Krishna Murthy into service as ordered by the Hon'ble Tribunal. Accordingly, Government hereby re-induct Dr. K. Krishna Murthy into service as Civil Assistant Surgeon.

6. The orders at Para (5) are subject to out come of final Judgement of Hon'ble High Court in W.P.No.16386/2003 and batch cases and pending further disciplinary action against the above said doctor.

7. The Director of Health, A.P. Hyderabad shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. VIJAY KUMAR
EX-OFFICIO SECRETARY TO GOVERNMENT

To
Dr.K.Krishna Murthy formerly Civil Assistant Surgeon at PHC, Mamda,
Adilabad **through** the Director of Health, A.P. Hyderabad.
The Director of Health, A.P. Hyderabad.

Copy to:

The Accountant General, A.P. Hyderabad.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER